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PTO/SB/25 (09-04)
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A PENDING "REFERENCE" APPLICATION HSJ920030148US1 In ro Application of: Peter Michael BAUMGART Application No.: 10/691,752 Filed: October 22, 2003 MAGNETIC RECORDING DISK DRIVE WITH ACTIVELY CONTROLLED ELECTRIC POTENTIAL AT THE HEAD/DISK INTERFACE FOR WEAR AND DURABILITY CONTROL The owner*. <u>Hitschi Global Storage Technologies Netherlande B.V.</u>, of 100 percent interest in the instant application hereby discisims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/691,742, filed the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/691,742, filed on October 22, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would in making the above discisioner, the owner does not discision the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, has the term of any patent granted on said reference application may be shortened by any terminal disclaimer filled prior to the grant of any patent on the pending reference application, in the event that; any such patent; granted on the pending reference application; in the event that; any such patent; granted on the pending reference application; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorly disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reiccued, or b in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate, For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency. etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and ballef are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may joopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attornay or agent of record. Reg. No. March 28, 2005 Signature Date Joseph P. Curtin, Reg. No. 34,571 Typed or printed name 503-296-8373 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) is included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2028. "Statement under 37 CFR 3.73(b) is required if torminal disclaimer is signed by the assignee (owner).

Statement under 37 CFR 3.73(b) is required if forminal disclaimer is signed by the assignee (owner). Form PTO/SB/95 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the smourch of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexendria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexendria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).					Application Number 10/69			.752		
FEE TRANSMITTAL					Filing Date Octob			er 22, 2003		
I	For	FY 21	005		First Named Inventor Peter			Michael BAUMGART		
Applicant c	laime email on	lity etalije	. See 37 CFR 1.27		F 1			Mercedes		
	Art Unit 2651									
TOTAL AMOUNT OF PAYMENT (\$) 130 Attorney Docket No. HSJ92003148US1										
METHOD OF PAYMENT (check all that apply)										
Check	Check Credit Card Money Order Nonc Other (please identify):									
	Deposit Account Deposit Account Number: 50-2587 Deposit Account Name: Hitachi Global Storage									
	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)									
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If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50										
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Other (e.g., late filing surcharge): Terminal Disclaimer Fee under 37 C.F.R. 1.20(d) 130								130		
SUBMITTED BY										
Signature	Registration No. 34571 Telephone 503								ne 503-29	9B-8373
Name (Print/Type)	ame (Print/Type) Joseph P. Curtin Date March 28									

This collection of Information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to fise (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated in take 30 minutes in complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the smount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Partent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, ON NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)
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FEE TRANSMITTAL For FY 2005 Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 130 METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (plose identity): Deposit Account Deposit Account Mumber 50-7587 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(5) indicated below Charge fine(s) indicated the fine of 37 CFR 1.13 and 1.17 WARNING: information on this form may become public. Credit card information should not be included on this form. Provide credit card information and unfortation on PTO-253. FEE CALCULATION 1. BASIG FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (3) Fee (3) Fee (3) Fee (3) Fee (6) Fee (7) Fee (7) Fee (8) Fee (9)		Complete if Known								
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Name (Print/Type) Joseph P. Curtin	7	(Attorney/Apont) 34571								

This collection of information is required by 37 CFR 1.138. The information is required to obtain a panelit by the public which in to file (and by the USPTO to proceed) an application. Confidentiality is governed by 35.118 C 177 and 37 CFR 1.14. This entertion is estimated to take 30 minutes to complete, including gatheting, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the Includidat case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademerk Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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